

The Honorable John H. Chun

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DWIGHT CHRISTIANSON HENI  
Defendant.

| No. CR22-069 JHC

# **GOVERNMENT'S PROPOSED SECOND SUPPLEMENTAL JURY INSTRUCTIONS (CITED)**

DATED this 6th day of November, 2023.

Respectfully submitted,  
TESSA M. GORMAN  
Acting United States Attorney

s/ Erin H. Becker  
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1 REQUESTED TRIAL INSTRUCTION NO. 9  
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3 INSTRUCTION NO. \_\_\_\_  
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5 You are about to hear see photographs of a notebook seized during the search  
6 warrant at Henline's residence on April 15, 2022. This evidence is admitted only for  
7 limited purposes. You may consider this evidence only for the purpose of deciding  
8 whether the defendant had the state of mind or intent necessary to commit the crimes  
9 charged in the indictment; and had a motive to commit the crimes charged in the  
10 indictment.

11 Do not consider this evidence for any other purpose.

12 Of course, it is for you to determine whether you believe this evidence and, if you  
13 do believe it, whether you accept it for the purpose offered. You may give it such weight  
14 as you feel it deserves, but only for the limited purpose that I described to you.

15 The defendant is not on trial for anything he wrote in the notebook. You may not  
16 consider the evidence of this event as a substitute for proof that the defendant committed  
17 the crimes charged. You may not consider this evidence as proof that the defendant has a  
18 bad character or any propensity to commit crimes. Specifically, you may not use this  
19 evidence to conclude that because the defendant may have made the writings in the  
20 notebook, he must also have committed the acts charged in the indictment.

21 Remember that the defendant is on trial here only for Arson, not for this other act.  
22 Do not return a guilty verdict unless the government proves the crimes charged in the  
23 indictment beyond a reasonable doubt.

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25 Ninth Circuit Model Jury Instruction – 2.10  
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1 REQUESTED TRIAL INSTRUCTION NO. 10  
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3 INSTRUCTION NO. \_\_\_\_  
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5 At the Court's direction, a portion of the photograph at page 2 of Exhibit 297 has  
6 been redacted. You should not speculate as to what has been redacted or the reason for  
7 the redaction.  
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